

23 October 1978

RS.

MEMORANDUM FOR THE RECORD

FROM: [REDACTED] DCI Security Committee

SUBJECT: Security Policy Matters

1. At the conclusion of discussions this date on inputs to the DCI annual report, [REDACTED] O/SA/DCI/PA asked for my views on whether sources and methods should be dealt with separately from classification for purposes of secrecy agreements and release of information. I told him I did not think it wise to separate the two. I said that I thought that it would be very risky to contest withholding of, or controls over, information claimed to pertain to sources and methods if we were not prepared to assert that disclosure of that information would do identifiable damage to the national security and hence that the information required classification. I said I believed such an assertion could result in the courts throwing out sources and methods as a supplemental, statutorily based exemption under the Freedom of Information Act.

2. [REDACTED] said he thought that was a reasonable interpretation. He said that he was working with Mr. [REDACTED] of OGC on the development of the proposed new secrecy agreement and that this issue had come up in that context. [REDACTED] said he was also working with the Publications Review Board (PRB) regarding the application of the secrecy agreement to proposed writings. He said he planned to discuss this issue with Mr. Gambino (also a member of the PRB) in the near future. [REDACTED] further advised that he hoped it would be possible to so word new agreements or regulations so that proposed writings on subjects that were innocuous from a security point of view (e.g. on literary, arts and crafts, or house and garden type subjects) would not have to come before the PRB.

[REDACTED]

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